

INVOICE

Alex Mas
The Nature Conservancy
14 Main Street, Suite 401
Brunswick ME 04011

E-mail: amas@tnc.org

Invoice # 57

Date: February 18, 2011

Bill To:

Environmental Protection
BLWQ
17 State House Station
Augusta ME 04333-0017

Vendor Code:

VC1000067626

	Description
	In Lieu Fee for Wetland Compensation \$77,535.92
	DEP Number: PBR #4749618 Corps Number: NAE-2010-00470
	Internal transfer-invoice
	MaineDOT
	Total \$77,535.92

IN-LIEU-FEE (ILF) PROJECT DATA WORKSHEET

DEP Invoice # 57

[Note: Will be filled in by ILF Administrator in Augusta]

Project name: Ellsworth, Downeast Rail Trail

Applicant (s): MaineDOT

DEP/Corps permit #: PBR #49618 and #NAE-2010-00470

[Note: Please attach a PDF copy of the permit]

DEP ATS #: N/A

ILF Contribution Amount \$77,535.92

[Note: Please attach a PDF copy of the check]

Project address: Downeast Rail Trail, Ellsworth

[Note; Please attach a PDF map of project location]

Biophysical region: Penobscot Bay Coast Subsection

Size of total impact subject to compensation: 25,174 s/f

Resources Impacted: *[The resource table on page 2 MUST be filled in with all resource types impacted, amounts and functions.]*

Project manager: Robin Clukey &

Note: The ILF Project Data Worksheet must be filled out by the PM within 3 days of receiving a contribution to the "Natural Resource Mitigation Fund" and faxed along with a copy of the check to James Cassida in Augusta at 287-7826. The distribution of ILF contributions is time sensitive.

The PM should also double check to make sure that the check has been routed to Augusta with the correct account number reference. The account # for the ILF program is 014.06A.1776.14

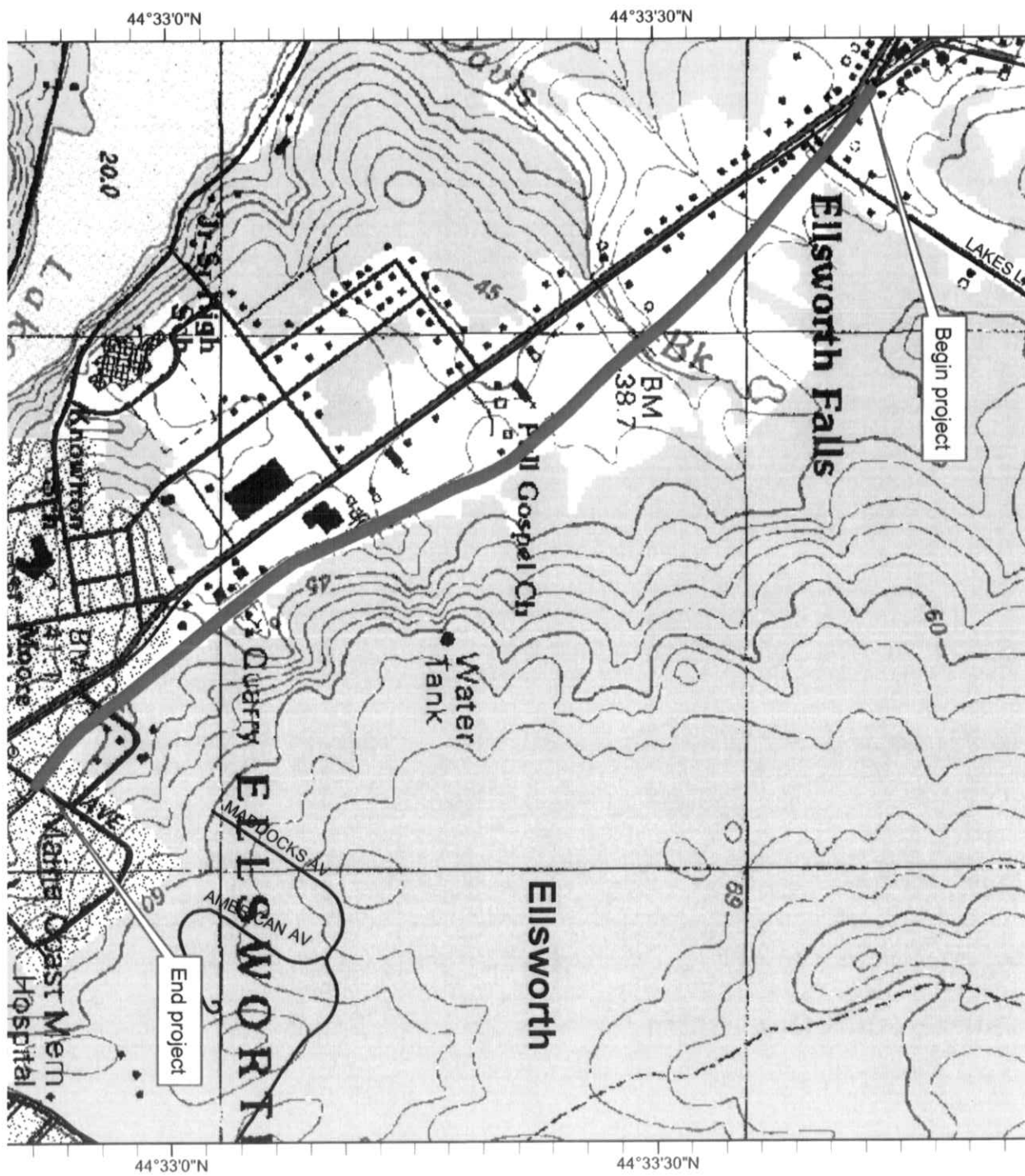
Resource(s) Impacted:

Resource Type: (Wetlands by NWI Type (PFO, PSS, M1, M2, E1, E2, etc), significant vernal pool (SVP), shorebird feeding & staging habitat (Shorebird), inland waterfowl & wading bird habitat (IWWH), tidal waterfowl & wading habitat (TWWH), and river, stream, or brook (RSB).

Wetland Functions & Values: Groundwater recharge/discharge (GWR); floodflow alterations (FF); fish & shellfish habitat (FSH); sediment toxicant retention (STR); nutrient removal (NR); production export (PE); sediment/shoreline stabilization (SS); wildlife habitat (WH); recreation (R); education/scientific value (ESV); uniqueness/heritage (UH); and visual quality/aesthetics (VQ).

Types of impacts: may include filling, dredging, vegetation conversion (e.g. forested to shrub/scrub), others.

Resource type (list all that apply)	Functions (for wetland impacts) (list all that apply, by resource type)	Type of Impact (by resource type)	Sq Feet Impacted (by resource type)
PFO	FF, GWD, WH	Filling	10,669
PSS	FF, GWD, WH	“	12,654
PEM	FF, GWD, WH	“	1,211
RUS	FF, GWD, WH	“	640
Total square feet impacted			25,174



DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP)
PERMIT BY RULE NOTIFICATION FORM
(For use with DEP Regulation, Chapter 305)

■ MDOT PIN: 9636.00

Name of Applicant: State of Maine Department of Transportation Name of Contact: Josh Nichols
Mailing Address: 16 Station State House Town/City: Augusta State: Me. Zip Code: 04330-0016
Daytime Telephone #: Name of Wetland, Water Body or Stream: Davis Brook, unnamed stream
Detailed Directions to Site: This project is within the existing Calais Branch Rail Road right of way, between the junction of Routes 179/180 /1 and Birch Ave, in Ellsworth.

Town/City: Ellsworth

Map #: N/A

Lot #: N/A

County: Hancock

Description of Project: Project scope is to construct a 1.27 mile long paved multi-use recreational trail within the existing Calais Branch right of way. The project will be performed in accordance with erosion control measures conforming with the latest versions of the *State of Maine Department of Transportation Standard Specifications for Highways and Bridges* and the *Department of Transportation's Best Management Practices for Erosion and Sediment Control*.

Part of a larger project? ☐ Yes ☒ No

(CHECK ONE) This project... ☒ does ☐ does not ...involve work below mean low water.

I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Regulation, Chapter 305. I have a copy of PBR Sections checked below. I have read and will comply with all of the standards.

- | | | |
|---|---|---|
| <input type="checkbox"/> Sec. (2) Soil Disturbance | <input type="checkbox"/> Sec. (8) Shoreline stabilization | <input type="checkbox"/> Sec. (14) Piers, Wharves & Pilings |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (9) Utility Crossing | <input type="checkbox"/> Sec. (15) Public Boat Ramps |
| <input type="checkbox"/> Sec. (4) Replacement of Structures | <input type="checkbox"/> Sec. (10) Stream Crossing | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects |
| <input type="checkbox"/> Sec. (5) REPEALED | <input checked="" type="checkbox"/> Sec. (11) State Transport. Facilities | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas | <input type="checkbox"/> Sec. (18) Maintenance Dredging |
| <input type="checkbox"/> Sec. (7) Outfall Pipes | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement | |

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. I also understand that **this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.**

I have attached all of the following required submittals. **NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:**

- A \$55 (non-refundable) payment shall be done by internal billing.
- Attach a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- ☐ Attach photographs showing existing site conditions (unless not required under standards).

Signature of Applicant: Judy C. Gates
Judy Gates, MaineDOT Env Office Director

Date: 2/2/10

Keep the bottom copy as a record of permit. Send the form with attachments via certified mail to the Maine Dept. of Environmental Protection **at the appropriate regional office listed below.** The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. **Work carried out in violation of any standard is subject to enforcement action.**

AUGUSTA DEP STATE HOUSE STATION 17 AUGUSTA, ME 04333-0017 (207)287-2111 PORTLAND DEP 312 CANCO ROAD PORTLAND, ME 04103 (207)822-6300 BANGOR DEP 106 HOGAN ROAD BANGOR, ME 04401 (207)941-4570 PRESQUE ISLE DEP 1235 CENTRAL DRIVE PRESQUE ISLE, ME 04769 (207)764-0477

OFFICE USE ONLY
PBR # FP

Ck.#

Date

Staff

Acc. Date

Staff

Def. Date

After Photos

MAINE DEPARTMENT OF TRANSPORTATION

**Downeast Rail Trail, Ellsworth
(PIN 9636.00)**

WETLAND MITIGATION PLAN

January 2010



Prepared By

MAINE DEPARTMENT OF TRANSPORTATION
Environmental Office
Division of Field Services and Mitigation
16 State House Station
Augusta, Maine 04333

Wetland Mitigation Plan
DOWNEAST RAIL TRAIL, ELLSWORTH
PIN 9636.00

Table of Contents

Section	Title	Page
A.	Project Background	1
B.	Impact Area Summary	1
C.	Compensation Requirements	2
D.	Compensation Plan	2
	1. Agency Review Process	3
	2. Proposed Compensation	3
E.	Payment Process and Estimated Project Schedule	4

LIST OF FIGURES

Figure 1.	Project Location Map	6
------------------	-----------------------------	----------

APPENDICES

Appendix A – Functions & Values Report	7
---	----------

A. Project Background

This Wetland Mitigation Plan describes the compensatory mitigation proposed by the Maine Department of Transportation (MaineDOT) for impacts to freshwater wetlands associated with the proposed Downeast Rail Trail in Ellsworth, Hancock County (MaineDOT PIN 9636.00). MaineDOT is proposing to construct approximately 6800 feet of multi-use recreation trail adjacent to the existing rail line in this area. In this project the rail berm will be widened as the existing rail line will not be used for the recreational trail. This plan was prepared in support of the Maine Department of Environmental Protection (DEP) and U.S. Army Corps of Engineers (Corps) permit applications for the project, in accordance with the compensation requirements of the Maine Natural Resources Protection Act (NRPA), Chapter 310 Wetland and Waterbodies Protection and the Corps Section 404 program.

These improvements to the Downeast Rail Trail begin at the Route 179 crossing and extend to Birch Street in Ellsworth. The project is located in the Lower Penobscot River watershed (HUC 01020005). The project area is shown in Figure 1.

B. Impact Area Summary

Wetlands along this trail corridor were field delineated by the MaineDOT Field Services biologists in September 2009. In accordance with DEP guidelines, the Corps Highway Methodology, and the 1990 Memorandum of Agreement between the Corps and the U.S. Environmental Protection Agency (EPA), the proposed design includes measures to avoid wetland impacts where practicable and minimize impacts where unavoidable. The project design includes 2:1 slopes to minimize wetland impacts along 3:1 and 4:1 fill slopes and installing a fence between the rail and trail corridors to eliminate the 15'-0" required safety buffer.

The Rail Trail site specific conditions regarding topography in the project area is made up of flat and level areas along the rail berm with an adjacent steep hillside. The drainage in the area was affected by the original rail road berm construction, and the berm acts as a

partial barrier, slowing run off and creating some wetland areas. The berm also has a functioning ditched drainage system which has channeled some of the water discharging out of wetland drainage runs. Davis Stream, a perennial stream runs through the area.

After avoidance and minimization measures were applied, wetland impacts to freshwater wetlands on this project are .58 acres. Impacts are to 10,669 s/f of PFO, 12,654 s/f of PSS, 1,211 s/f of PEM and 640 s/f of RUS.

Wetland functions were assessed by MaineDOT staff using the descriptive approach developed by the Corps. This is an urban area that has some developed and undeveloped properties. There is some wildlife habitat use, but the primary functions are with the control of stormwater/melt water runoff and groundwater discharge.

C. Compensation Requirements

State and federal regulations require compensatory mitigation to offset unavoidable adverse impacts to wetland functions from development projects with a function of equal or greater value. The goal of compensation is to achieve no net loss of wetland functions and values. DEP requires that compensation for lost wetland functions be provided at specific ratios depending on the characteristics of the wetland to be altered and the type of compensation proposed. MaineDOT is required to provide .58 acres or 25,174 s/f of compensation for the Downeast Rail Trail Project.

D. Compensation Plan

In order to provide appropriate compensation for wetland functions impacted by the proposed project, MaineDOT is proposing to provide the 25,174 sq. ft. (.58 acres) of compensation required for the Rail Trail Project through payment of an in-lieu compensation fee (ILF) to be used for the purpose of restoring, enhancing, creating, or preserving other wetland functions or values that are environmentally preferable to the functions and values impacted by the project. The fee amount will be paid in accordance with the provisions of the MaineDEP ILF wetland mitigation program and NRPA, Title

38 M.R.S.A, subsect. 480-Z, Compensation. The following sections describe the mitigation site search conducted by MaineDOT, the interagency review process, and the justification for the proposed compensation.

1. Agency Review Process

On December 3rd, 2009 MaineDOT met with Robin Clukey and Mike Mullen to discuss permit level and wetland compensation. It was determined that there was no viable on-the-ground mitigation options available to address the lost functions and values. After a short discussion DEP concurred with the use of the state's In Lieu Fee Program for use on the Downeast Rail Trail Project (9636.00).

2. Proposed Compensation

MaineDOT proposes to compensate for the functional impacts to freshwater wetlands associated with the construction of the Downeast Rail Trail Project by paying a compensation fee to the DEP ILF program. DEP has developed a county-based fee schedule that includes the sum of the cost to restore or create resource area with functions and values similar to those impacted by the proposed project activity and the average land acquisition costs. In Hancock County a total fee of \$3.08 per square foot of compensation required has been adopted by the DEP. Based on the current fee schedule, the total compensation fee to be paid by MaineDOT for the Rail Trail Project is \$77,535.92 (= \$3.08 per square foot x 25,174 square feet of compensation required). Payment of the fee by MaineDOT will satisfy all state and federal mitigation requirements for the Downeast Rail Trail Project.

The goal of the DEP ILF program is to use the fees collected for the purpose of restoring, enhancing, creating or preserving other resource functions or values that are environmentally equal or preferable to the functions and values of impacted resources and associated uplands, as determined by the DEP (38 M.R.S.A. subsection 480-Z). The fee paid by MaineDOT will be pooled with other ILF funds collected by the DEP in order

to fund a project or projects that will achieve the program goals. The final scope and timing of the ILF-funded project(s) will be determined by the team of resource and regulatory agencies overseeing the implementation of the ILF program and will be based on the total fees collected and the restoration and preservation priorities identified by the team within the Lower Penobscot River Watershed.

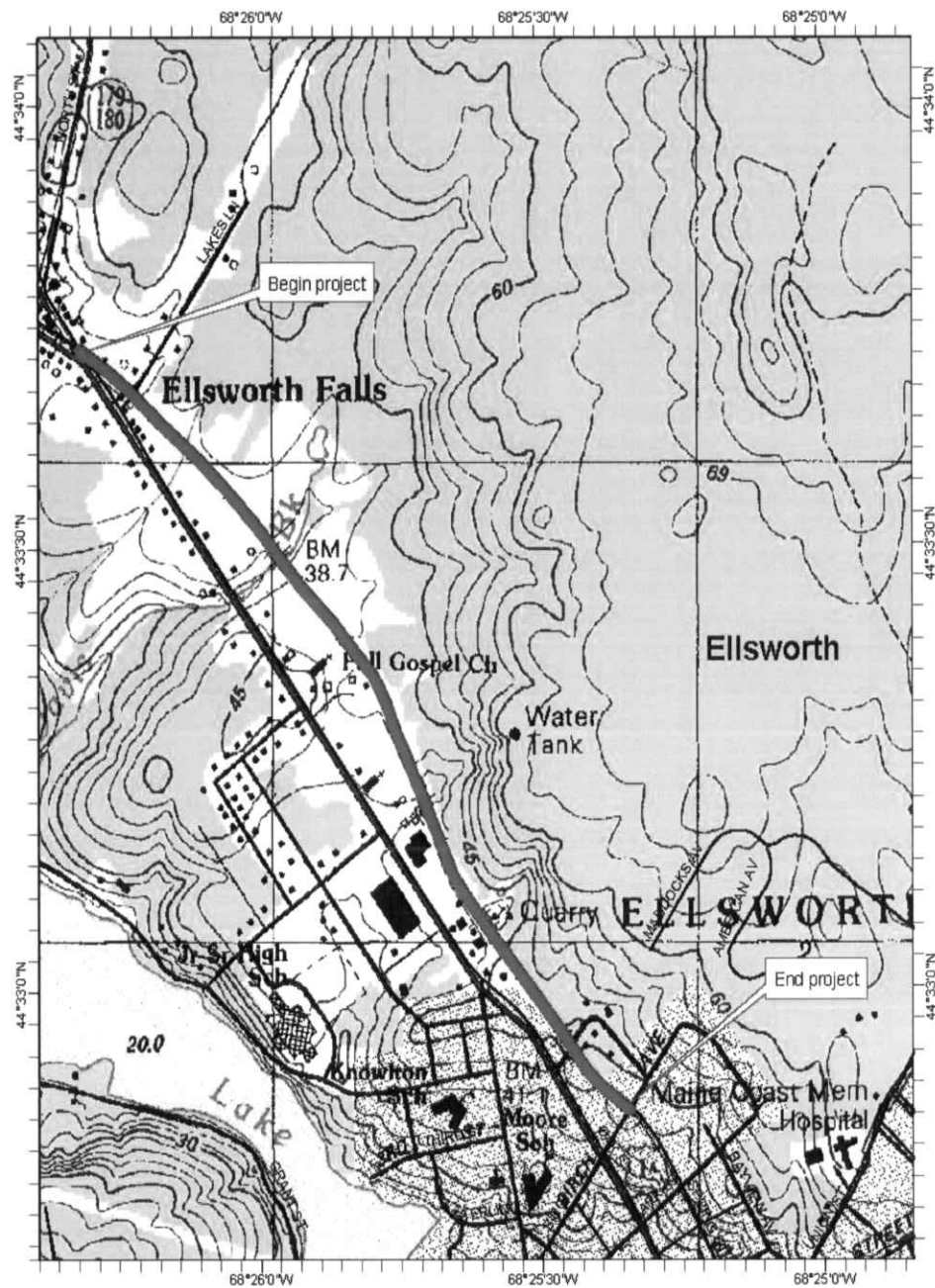
E. Payment Process and Estimated Project Schedule

Upon approval of MaineDOT's plan to pay a compensation fee in lieu of project-based natural resource mitigation, MaineDOT will pay the compensation fee in accordance with a process described in an October 2007 MaineDOT request to DEP regarding ILF payments for MaineDOT public-interest transportation projects, and subsequent DEP approval in November 2007. The process and estimated project schedule is as follows:

- DEP will submit an invoice to MaineDOT for the amount of the compensation fee in a manner similar to the way DEP currently invoices DOT for permit application fees. For the Downeast Rail Trail Project, this invoice should be directed to the attention of Deane Van Dusen, Manager of Field Services and Mitigation, in the MaineDOT Environmental Office;
- MaineDOT will pay the compensation fee via an interagency journal voucher prior to the actual construction start date of the Rail Trail Project. The MaineDOT mitigation project manager will be responsible for ensuring that the payment is made in accordance with the aforementioned process and the actual project schedule.
- MaineDOT's current estimated schedule for the project anticipates advertising the Downeast Rail Trail Project for construction on June 30, 2010, and starting construction on August 9, 2010. MaineDOT will pay the compensation fee to DEP once the project is awarded to a contractor and prior to the construction start date of the project.

The estimated advertising and construction schedule for the Downeast Rail Trail Project is subject to change depending on the timing of agency approvals, the schedule of other MaineDOT construction projects in the vicinity, seasonal traffic considerations, and funding availability. MaineDOT will notify DEP and the Corps of any changes in the Rail Trail Project schedule that result in a change to the estimated payment date of the compensation fee.

FIGURE 1



Ellsworth
Shared-use Downeast Trail

PIN 9636.00
Project Manager: Andy MacDonald

APPENDIX A

Ellsworth, Maine
Downeast Rail Trail, between Route 179 and Birch Street
Wetland Functions and Values Assessment
PIN 009636.00

The Department of Transportation is proposing to construct approximately 6800 feet of multi-use recreation trail adjacent to the existing rail line in Ellsworth. There is a need to widen the existing rail berm as the existing rail line will not be used.

The topography in the area is flat along the rail berm, and has a steep hillside adjacent. The drainage in the area was affected by the construction of the berm, and the berm acts as a partial barrier, slowing run off and creating some wetland areas. The berm also has a functioning ditched drainage system which has channeled some of the water discharging out of wetland drainage runs. Davis Stream, a perennial stream runs through the area.

Generally, these wetlands are at the base of a slope and perform a groundwater discharge function and a flood flow/storm run off function. Wetlands are identified by stations of the trail. Wetland descriptions and functions are below.

Wetland 11- Lamoine Soils- Somewhat Poorly Drained soils- low gradient area adjacent to a wooded area near a field. Primary functions are Groundwater Discharge and Flood Flow Desynchronization. No opportunity for sediment/nutrient removal, limited wildlife habitat

Wetland 18 Lamoine Soils- Somewhat Poorly Drained soils. Primary function is Groundwater Discharge and Flood Flow Desynchronization at the end of a swale. Some wildlife habitat as there is an amphibian breeding pool in an impounded area adjacent to the berm is an artificial origin

Wetland 21 Scantic soils Associated with Davis Stream. Wetland associated with the stream would have aquatic habitat and shoreline stabilization

function. Riparian wetlands would also have Groundwater Discharge and Flood Flow Desynchronization functions

Wetland 23-26 Lamoine Soils- Somewhat Poorly Drained soils small sized wetland fingers-Flat area, –impounded by rail berm. Groundwater Discharge

Wetland 28 - 32 Scantic soils- Drainage associated with high school (Jurisdictional wetland?) and high school parking lot run off- Functions include Groundwater Discharge and some Sediment Retention from high school parking lot.

Wetland 40-41-42, Scantic soils-- Associated with an intermittent stream). Primary functions are shoreland stabilization, Groundwater Discharge and Flood Flow Desynchronization.

Wetlands 45 and, 47 Lyman soils- Well drained soils (are these associated with a larger wetland). These are adjacent to a currently undeveloped parcel and Wildlife Habitat and flood desynchronization are the primary functions

Wetland 55 -62 Base of a slight slope- Soils mapped as Brayton fine sandy (hydric soil) complex upslope, backs up against the RR berm. Currently a forested parcel. These are adjacent to a currently undeveloped parcel. Wildlife Habitat, Groundwater Discharge and Flood Flow Desynchronization are the primary functions.

Summary

This is an urban area that has some developed and undeveloped properties. There is some wildlife habitat use, but the primary functions are with the control of stormwater/melt water runoff and groundwater discharge.

Figure 3: Davis Stream vicinity



Figure 4: Davis Stream



Figure 5: Wetland 41



Figure 6: Wetland 41 vicinity





DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

REPLY TO:
ATTENTION OF:

MAINE PROGRAMMATIC GENERAL PERMIT (PGP)
AUTHORIZATION LETTER AND SCREENING SUMMARY

OFFICE OF ENVIRONMENTAL SERVICES
MAINE DEPT. OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333

CORPS PERMIT # NAE-2010-00470
CORPS PGP ID# 10-074
STATE ID# PBR

DESCRIPTION OF WORK:

Place fill below the ordinary high water line of Davis Brook and an unnamed stream and in adjacent freshwater wetlands at Ellsworth, Maine in order to construct a 1.27 mile long multi-use recreational trail within an existing rail line right-of-way. Approximately 25,174 s.f. (0.57 acres) of stream bed and wetlands will be impacted by the project. This work is shown on the attached plans entitled "ELLSWORTH, PIN 9636.00, DOWNEAST TRAIL" in 17 sheets undated.
DOT PIN: 9636.00

LAT/LONG COORDINATES : 44.5620432° N 68.4392193° W USGS QUAD: ELLSWORTH, ME

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. Your work is therefore authorized by the U.S. Army Corps of Engineers under the enclosed Federal Permit, the Maine Programmatic General Permit (PGP). Accordingly, other than possibly performing a compliance inspection (condition 23 of the permit) at some later date, we do not plan to take any further action on this project.

You must perform the activity authorized herein in compliance with all the terms and conditions of the PGP [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed PGP carefully, including the PGP conditions beginning on page 7, to familiarize yourself with its contents. You are responsible for complying with all of the PGP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 38 of the PGP (page 15) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the PGP on October 11, 2010. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 11, 2011.

This authorization presumes the work shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to the undersigned.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.

II. STATE ACTIONS: PENDING [X], ISSUED [], DENIED [] DATE: _____

APPLICATION TYPE: PBR ☒ TIER 1: _____ TIER 2: _____ TIER 3: _____ LURC: _____ DMR LEASE: _____ NA: _____

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 3/11/10 LEVEL OF REVIEW: CATEGORY 1: _____ CATEGORY 2: ☒

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10 _____, 404 ☒ 10/404 _____, 103 _____

EXCLUSIONS: The exclusionary criteria identified in the general permit do not apply to this project.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA_NO _____, USF&WS_NO _____, NMFS_NO _____

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Manchester, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <http://per2.nwp.usace.army.mil/survey.html>

JAY L. CLEMENT
SENIOR PROJECT MANAGER
MAINE PROJECT OFFICE

PHILIP T. FEIR
COLONEL, CORPS OF ENGINEERS
DISTRICT ENGINEER
DATE 3-19-2010



US Army Corps
of Engineers®
New England District

ADDITIONAL SPECIAL CONDITIONS FOR
DEPARTMENT OF THE ARMY
PROGRAMMATIC GENERAL PERMIT
NO. NAE-2010-00470

1. The permittee shall assure that a copy of this permit is at the work site whenever work is being performed and that all personnel performing work at the site of the work authorized by this permit are fully aware of the terms and conditions of the permit. This permit, including its drawings and any appendices and other attachments, shall be made a part of any and all contracts and sub-contracts for work which affects areas of Corps of Engineers' jurisdiction at the site of the work authorized by this permit. This shall be done by including the entire permit in the specifications for the work. If the permit is issued after construction specifications but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. The term "entire permit" includes permit amendments. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions of the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps of Engineers jurisdiction.

2. Mitigation shall consist of payment of \$77,535.92 to the Natural Resource Mitigation Fund. The Corps will provide a completed ILF Project Data Worksheet which must be mailed with a cashiers check or bank draft, made out to "Treasurer, State of Maine", with the permit number noted on the check. The check and worksheet should be mailed to: ME DEP, Attn: ILF Program Administrator, State House Station 17, Augusta, ME 04333. **This authorization is not valid until** the permittee provides the Corps with a copy of the check, with the permit number noted on the check. The ILF amount is only valid for a period of one year from the date on the authorization letter. After that time, the project would need to be reevaluated and a new amount determined.

Permit Special Conditions Resulting From
Informal Endangered Species Act Consultation
With National Marine Fisheries Service
(Reference COE/Maine DOT Biological Assessment dated "March 2009")

1. The permittee shall implement Maine DOT Best Management Practices ("BMPs") for Erosion and Sedimentation Control for all work authorized by this permit.

2. All work authorized by this permit shall be designed in accordance with Maine DOT's 2008 Waterway and Wildlife Crossing Policy and Design Guide.

3. All projects authorized by this permit shall utilize works windows specified in Matrix 1 of the biological assessment ("BA") and as noted below:

a. Open Work Window - Mayfield Township, Garland, Waldoboro, Amherst, Canaan, Lincoln, Monroe, Ellsworth Rail Trail, Lisbon, Searsmont, Carmel, Lisbon-Sabattus, Ellsworth Rout 1A,

b. July 15 to September 30 Work Window - Brooks, Auburn Route 136, Old Town,

c. November 8 to April 9 Work Window - South Thomaston, Topsham, Sedgewick-Deer Isle,

d. Modified Work Window (July 15 to September 30 and November 8 to April 9) - Orland

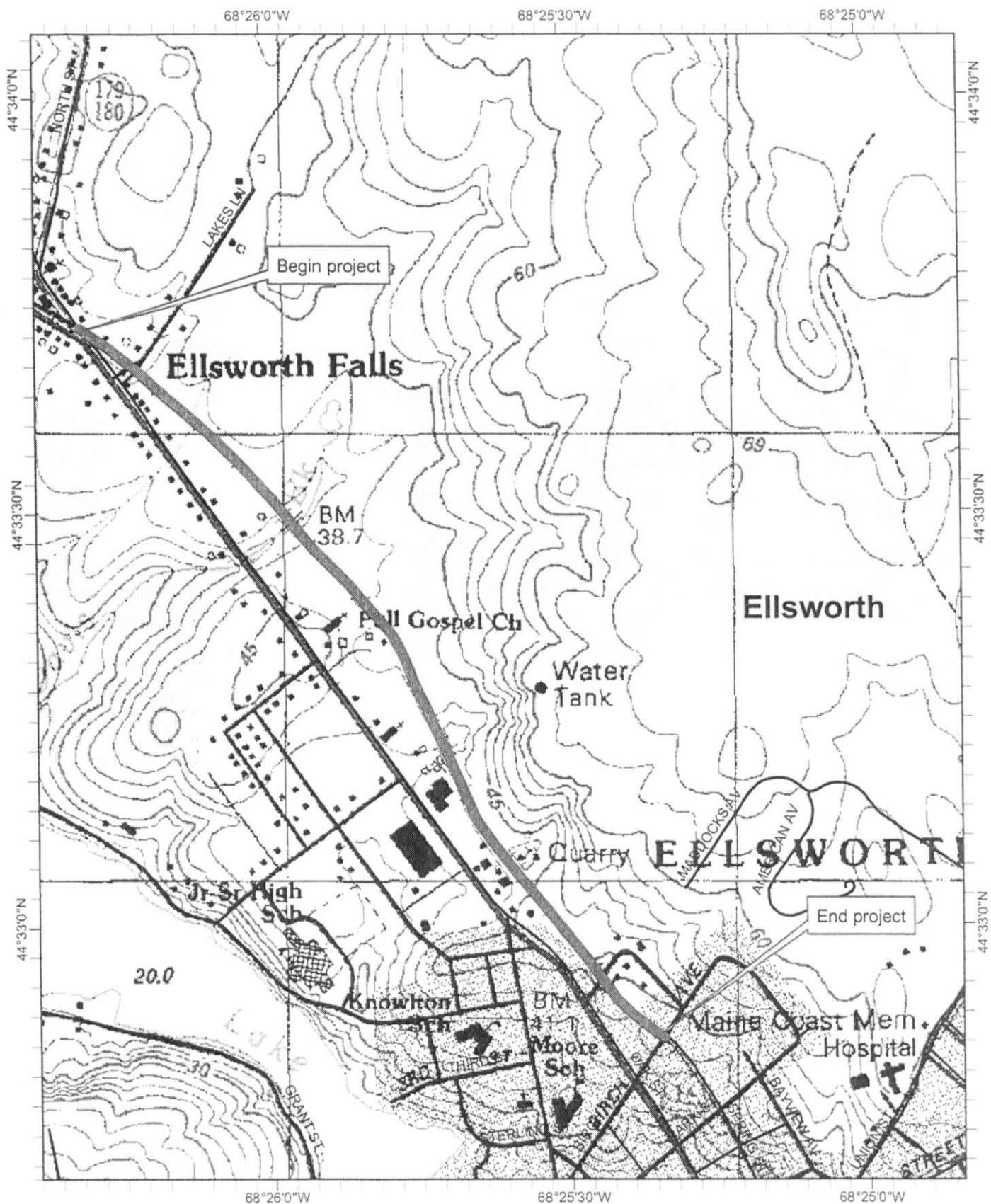
e. Modified Work Window (June 1 to September 30) - Gardiner-Brunswick I-295

4. Any cofferdam constructed as part of the authorized project shall adhere to the specifications contained in Section 3.1 (Coffer Dam Descriptions) of the BA.

5. Any culvert installations authorized by this permit must adhere to the specifications contained in Section 3.1.2 (Replacement Projects) of the BA.

6. If any listed shortnose sturgeon or Atlantic salmon are encountered in the project areas of this permit, including during dewatering of cofferdams, all work must cease and NMFS shall be contacted immediately.

7. Within 90 days of permit issuance, the permittee must develop fish passage monitoring plans in consultation with NMFS, USFWS, and the Corps for any stream crossings requiring the installation of invert or slip-lined culverts. Instream work shall not begin on these projects until the monitoring plans have been approved by the Services and the Corps.



Ellsworth
Shared-use Downeast Trail

ELLSWORTH
PIN 9636.00
DOWNEAST TRAIL

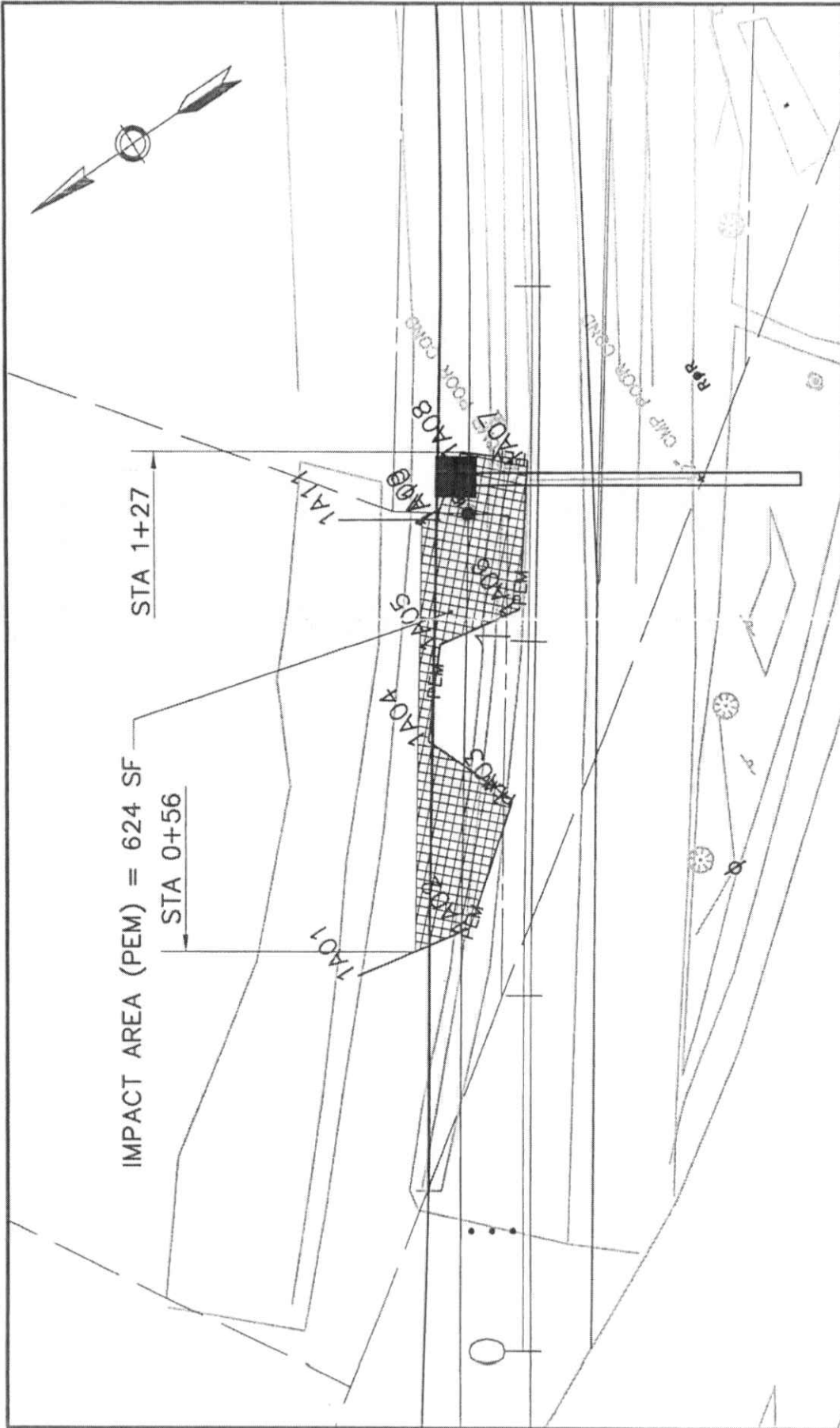
PIN 9636.00
Project Manager: Andy MacDonald

Ellsworth 9636.00 Wetland Impacts WSS = wetlands of special significance

<u>STATION</u>	<u>TYPE</u>	<u>IMPACT (SF)</u>
0+50 - 1+25 LT	PEM	624
11+30 - 12+25 LT	PSS	1205
17+25 - 18+60 LT	PFO	2061
20+55 - 20+81 LT	PSS	100
20+81 - 20+95 LT	PSS (WSS)	137
20+95 - 21+15 LT/RT	RUS (WSS)	412
21+15 - 21+31 LT	PSS (WSS)	691
21+31 - 23+29 LT	PSS	2611
24+00 - 25+17 LT	PSS	1063
25+49 - 28+67 LT	PSS	4540
29+36 - 29+98 LT	PSS	329
30+46 - 31+95 LT	PSS	1811
38+44 - 39+99 LT	PFO	1447
40+23 - 40+63 LT	PFO	312
41+25 - 41+44 LT	PSS (WSS)	167
41+44 - 41+51 LT	RUS (WSS)	228
41+51 - 41+77 LT	PFO (WSS)	129
41+77 - 42+24 LT	PFO	268
42+40 - 42+72 LT	PFO	381
45+19 - 45+57 LT	PFO	547
45+91 - 46+16 LT	PEM	192
47+18 - 47+51 LT	PEM	395
54+63 - 54+89 LT	PFO	143
55+15 - 55+43 LT	PFO	159
55+74 - 56+91 LT	PFO	1010
56+91 - 59+34 LT	PFO	2746
59+55 - 60+81 LT	PFO	1401
61+35 - 61+53 LT	PFO	65
TOTAL (SF)		25174

WSS = wetlands of special significance

ELLSWORTH
PIN 9636.00
DOWNEAST TRAIL



ELLSWORTH
PIN 9636.00
DOWNEAST TRAIL

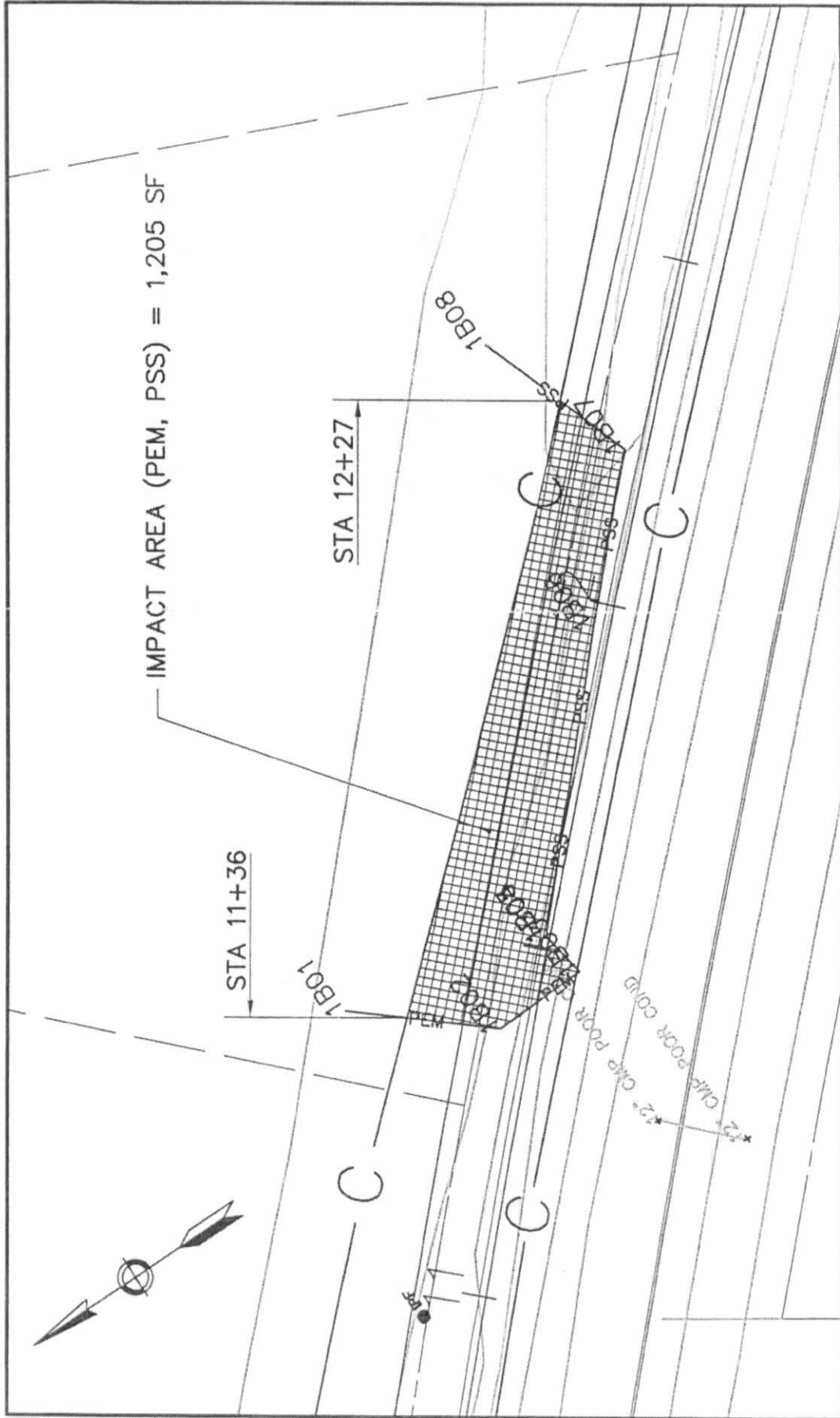
0 20 Feet



TETRA TECH RIZZO

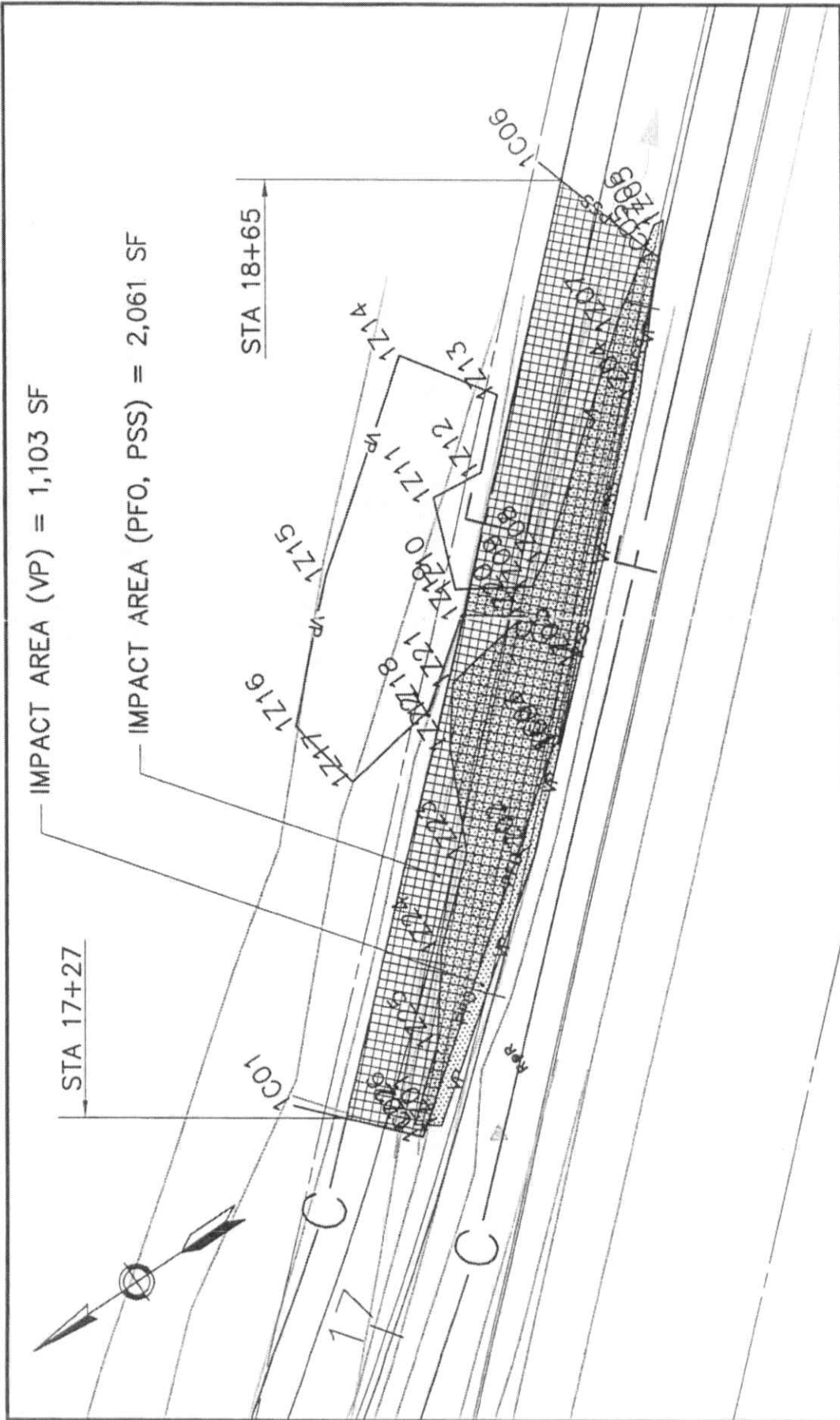
WETLAND IMPACTS

Figure
1



TETRA TECH RIZZO

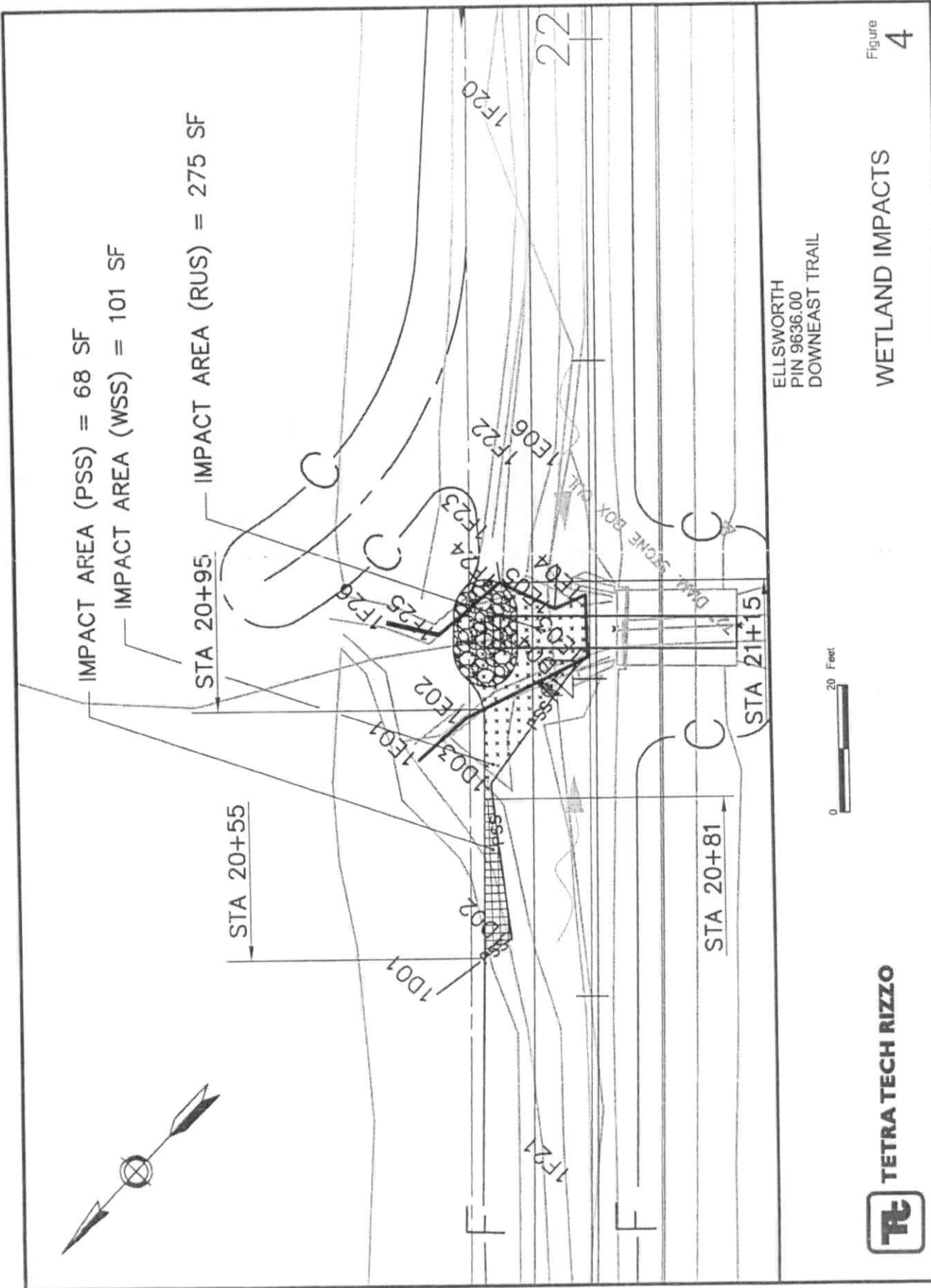
WETLAND IMPACTS

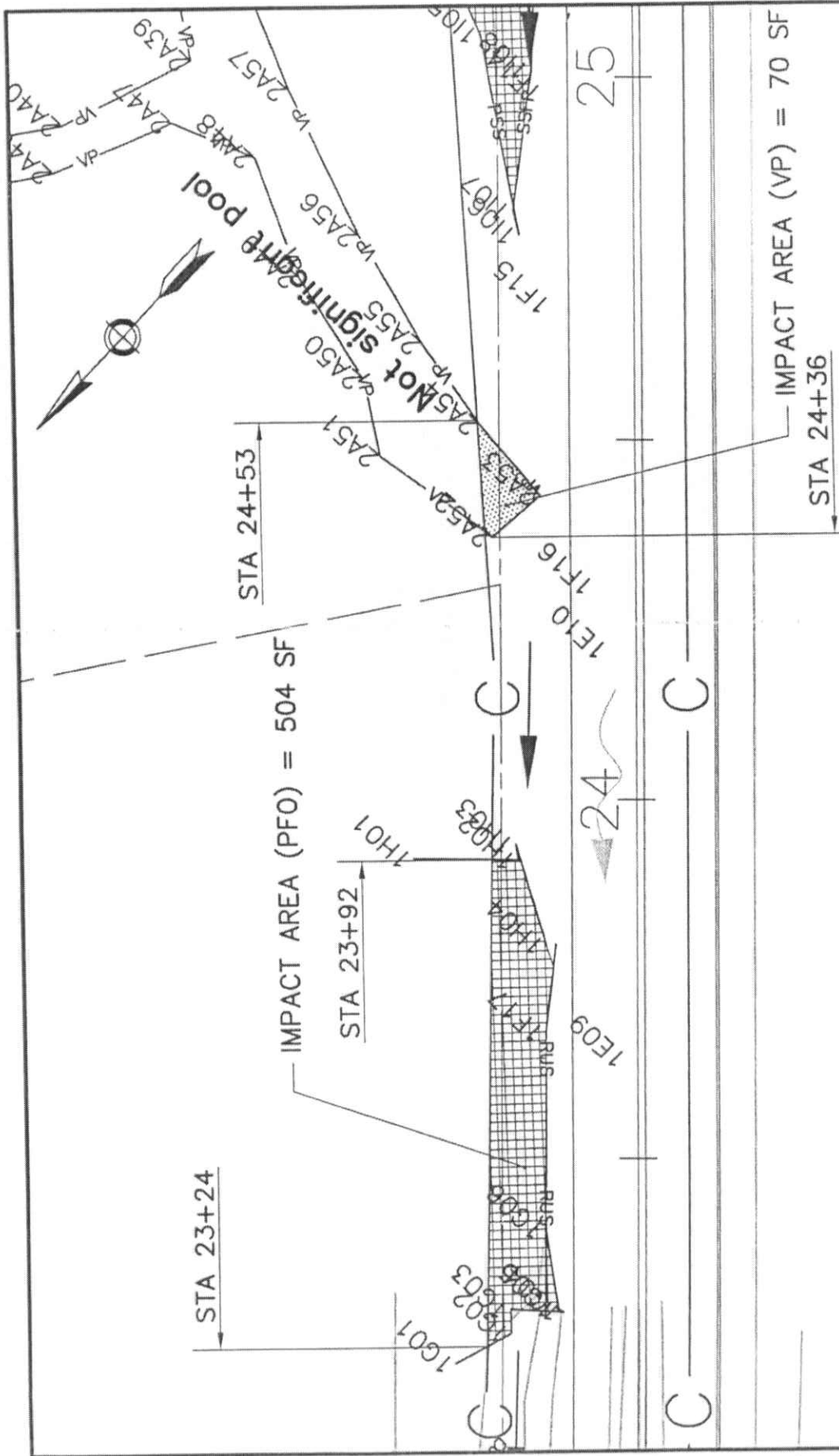


ELLSWORTH
PIN 9636.00
DOWNEAST TRAIL



WETLAND IMPACTS





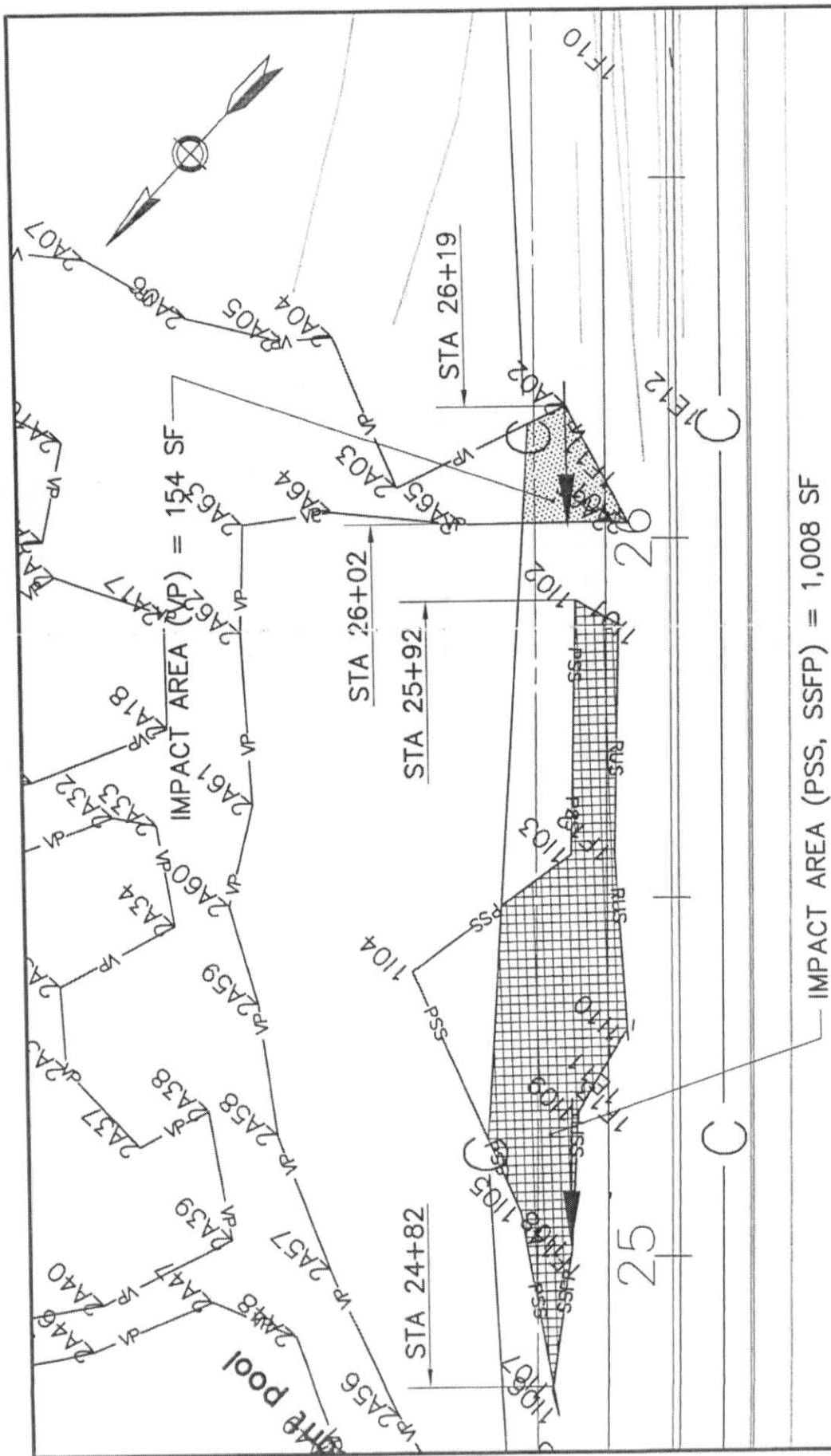
ELLSWORTH
PIN 9636.00
DOWNEAST TRAIL



TETRA TECH RIZZO

WETLAND IMPACTS

Figure **5**



ELLSWORTH
PIN 9636.00
DOWNEAST TRAIL

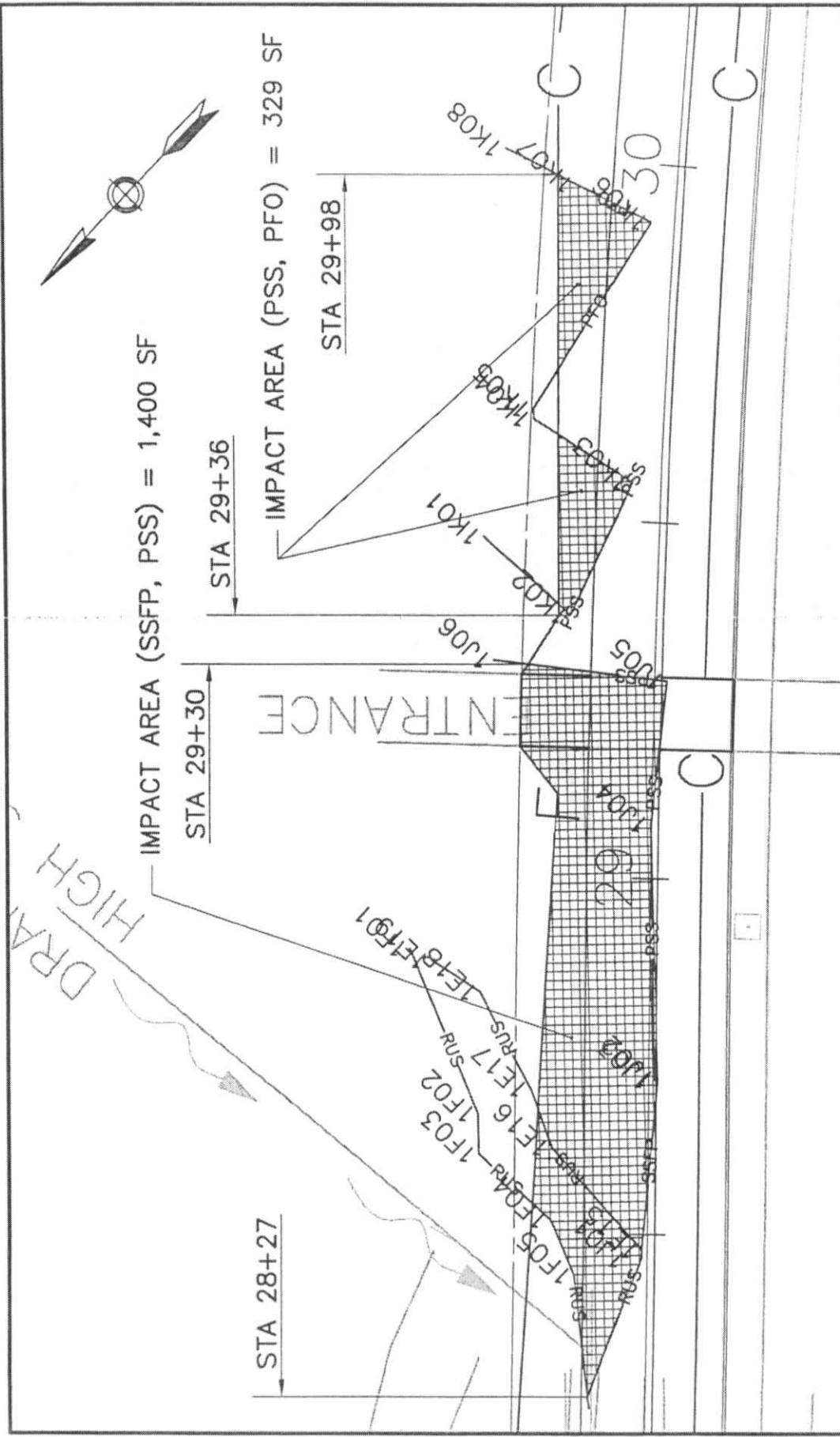
20 Feet

TETRA TECH RIZZO

WETLAND IMPACTS

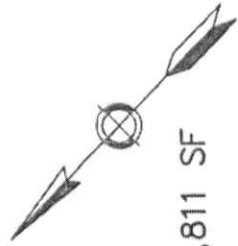
Figure

CC



ELLSWORTH
PIN 9636.00
DOWNEAST TRAIL

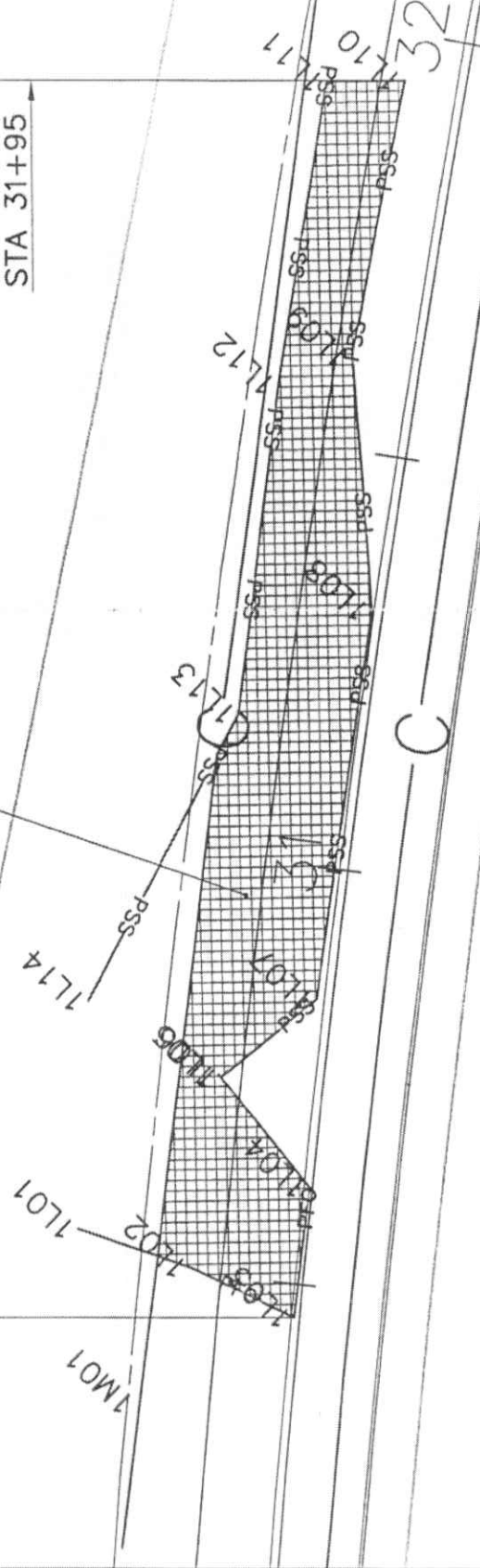




IMPACT AREA (PFO, PSS) = 1,811 SF

STA 30+46

STA 31+95



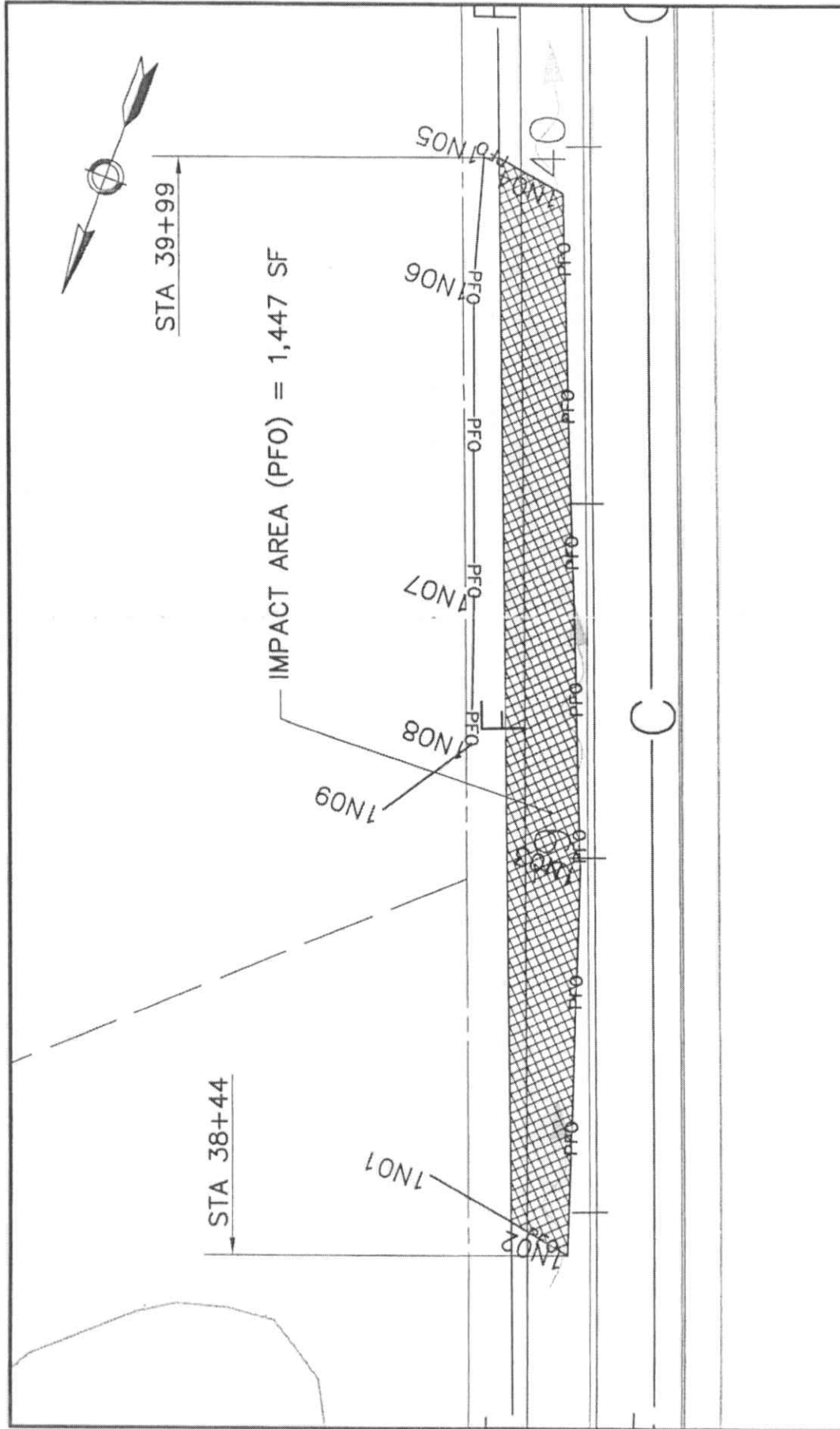
ELLSWORTH
PIN 9636.00
DOWNEAST TRAIL



TETRA TECH RIZZO

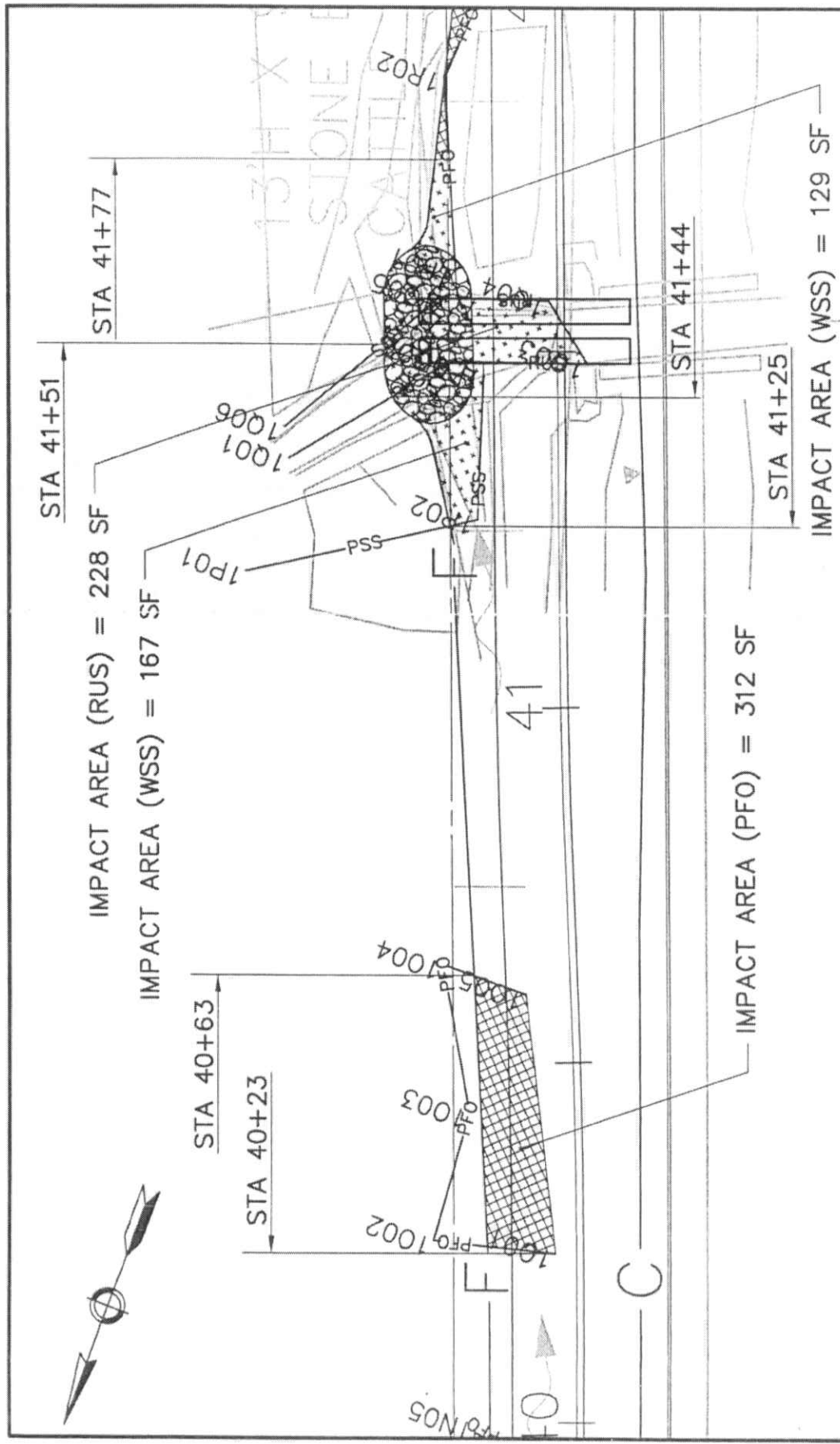
WETLAND IMPACTS

Figure
8



ELLSWORTH
PIN 9636.00
DOWNEAST TRAIL

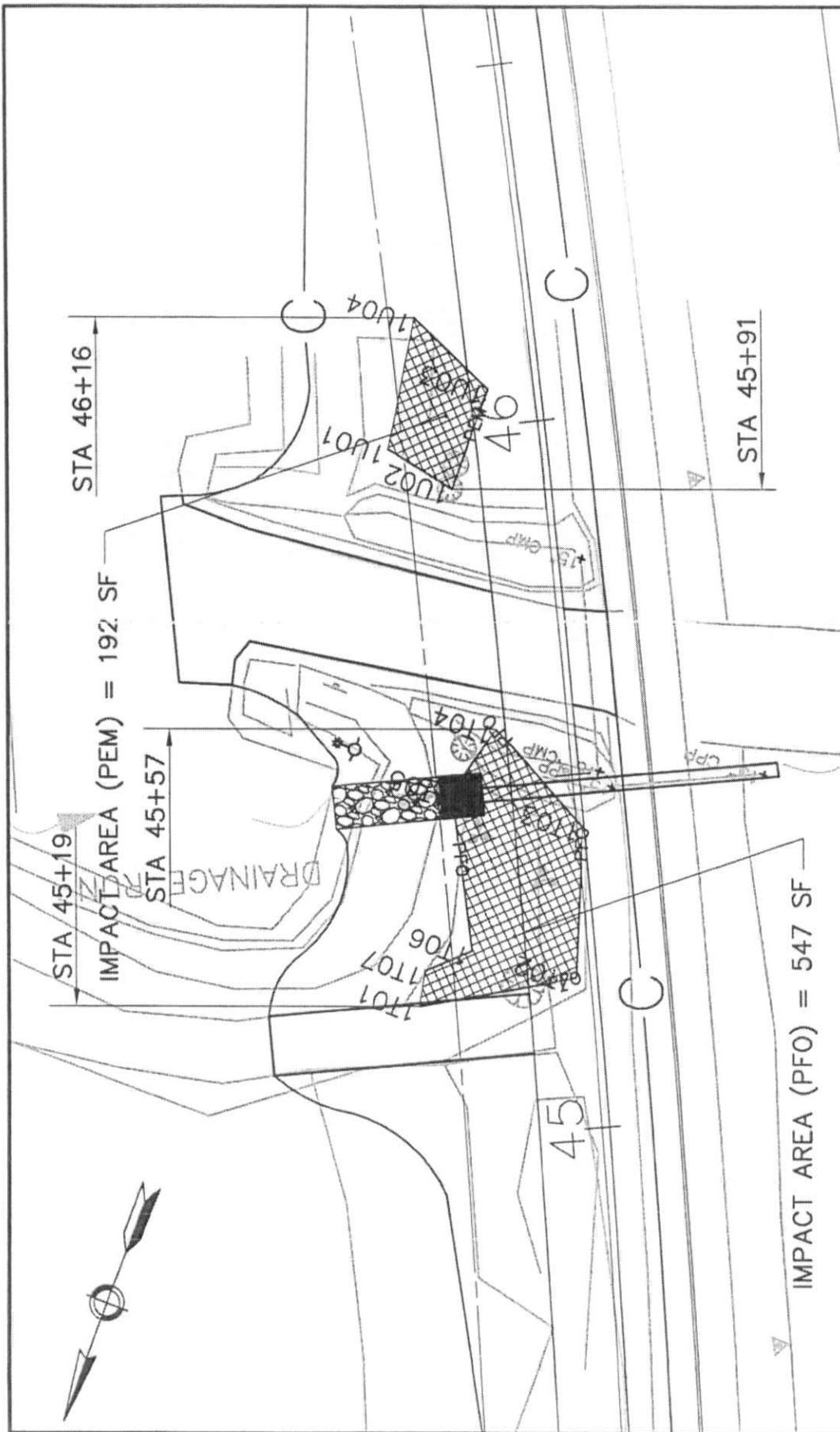




ELLSWORTH
PIN 9636.00
DOWNEAST TRAIL



WETLAND IMPACTS

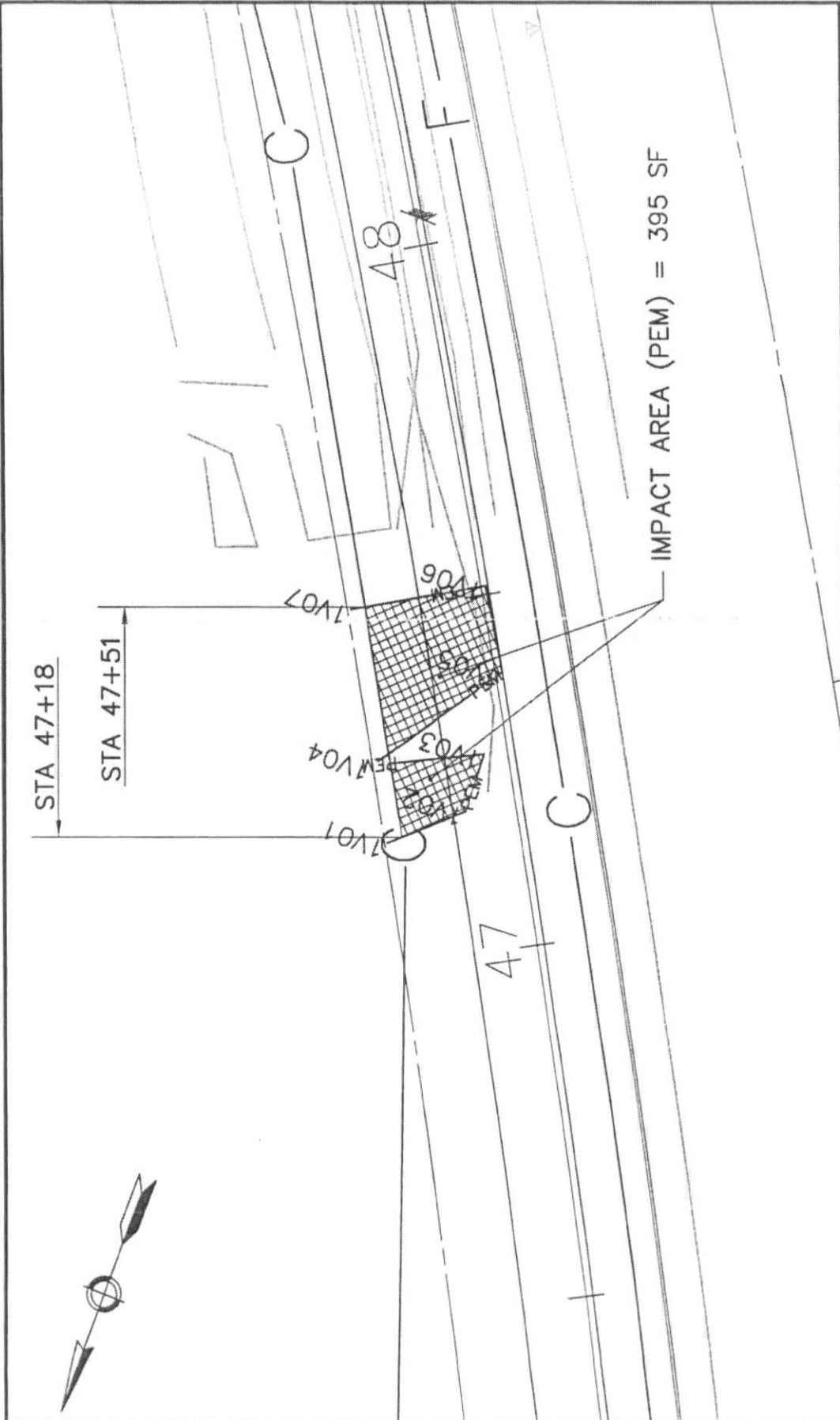


ELLSWORTH
PIN 9636.00
DOWNEAST TRAIL

0 20 Feet



WETLAND IMPACTS

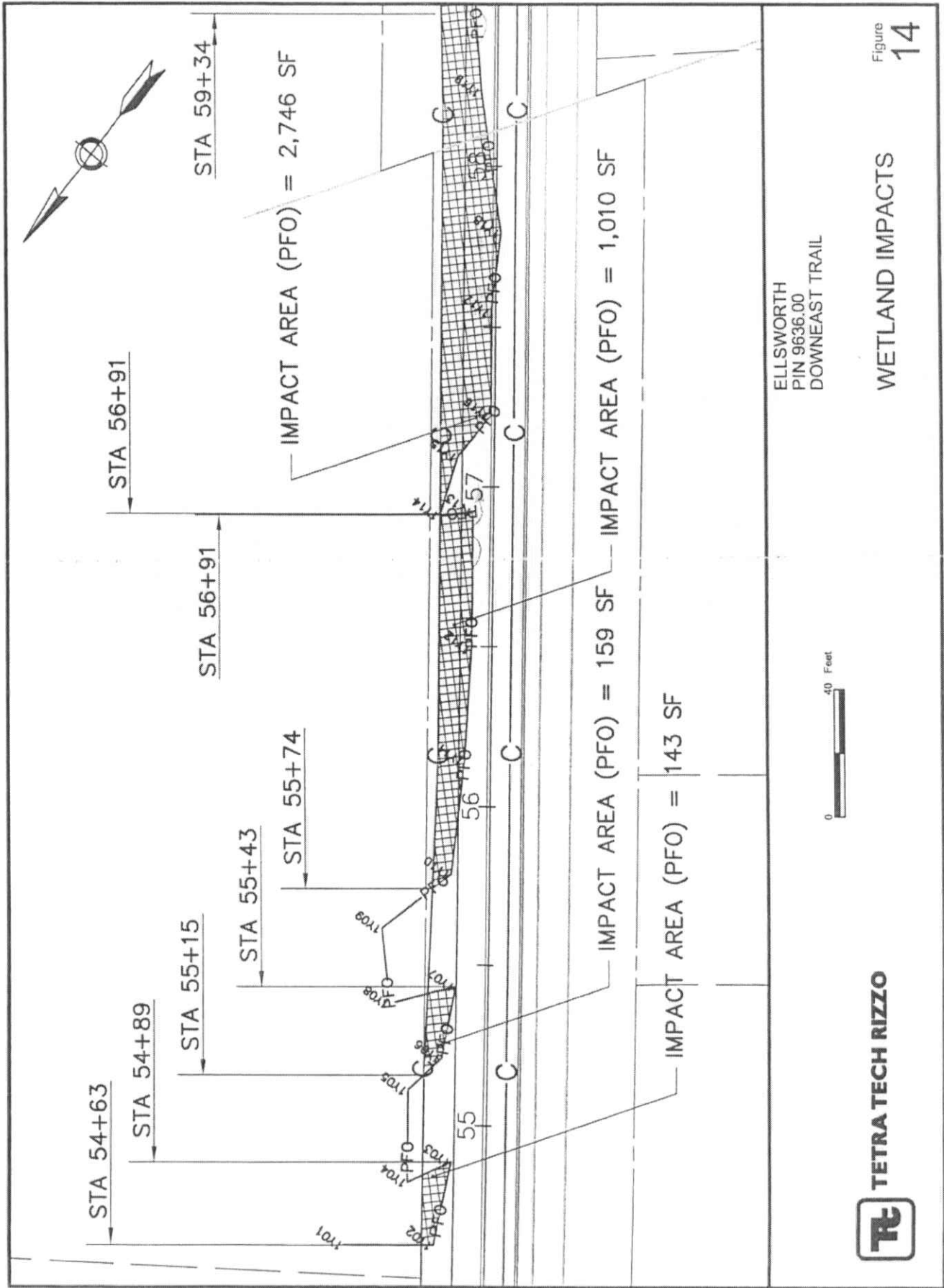


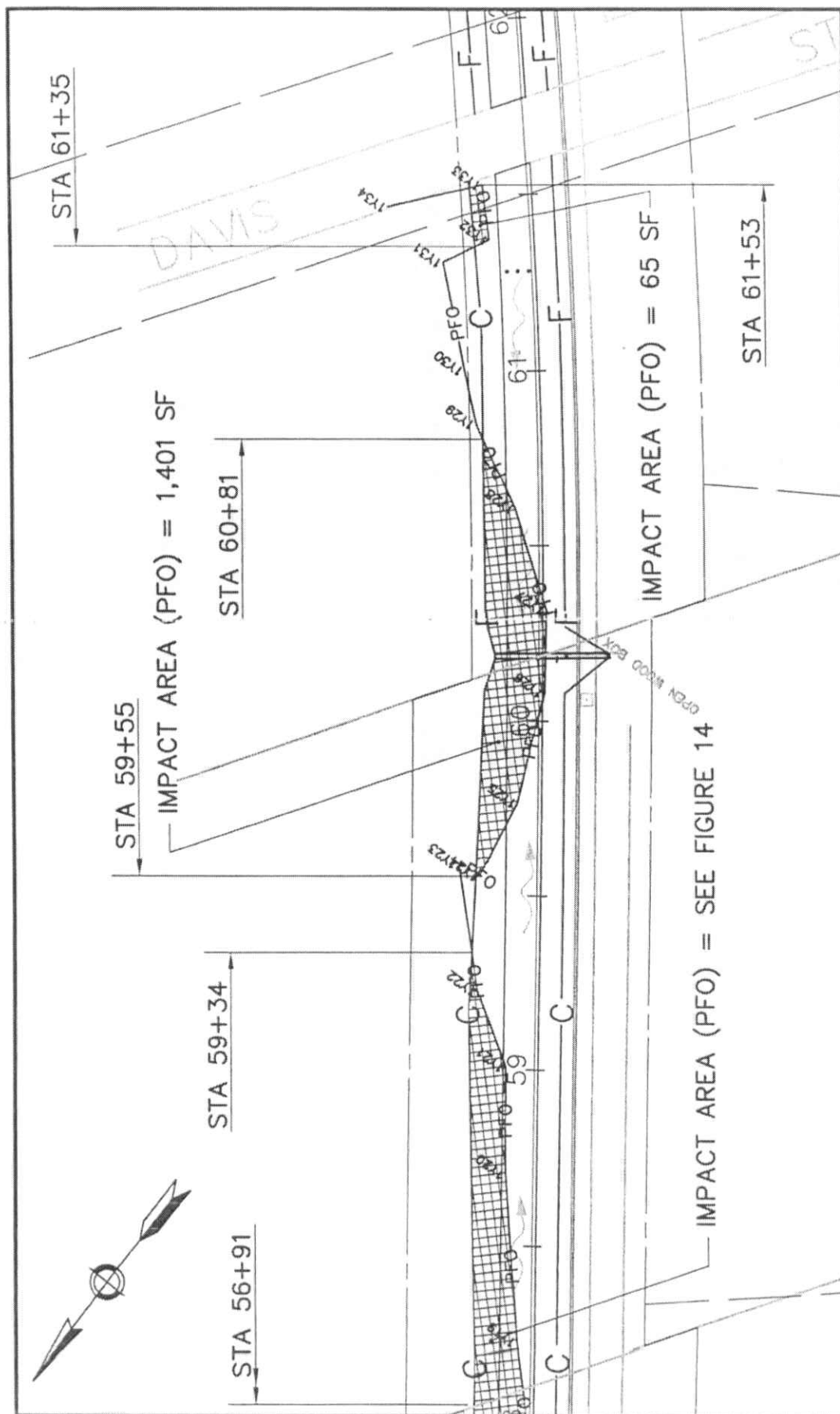
ELLSWORTH
PIN 9636.00
DOWNEAST TRAIL

TETRA TECH RIZZO

WETLAND IMPACTS

Figure 13





ELLSWORTH
PIN 9636.00
DOWNEAST TRAIL

TETRA TECH RIZZO

WETLAND IMPACTS

Figure

15

Cassida, James

From: VanDusen, Deane
Sent: Wednesday, July 21, 2010 8:12 AM
To: Cassida, James
Subject: ILF Invoice - Ellsworth
Attachments: Ellsworth ILF Project Worksheet.doc

Hi Jim -

I am requesting a DEP invoice be sent to DOT regarding the ILF amount for the Ellsworth - Downeast Rail Trail (DOT PIN 9636.00) project.

DEP provided a PBR # 49618 on 2-18-10; the Corps permit # NAE-2010-00482 was issued on 3-19-10. The Corps permit specifically requires DOT to make a mitigation payment to the Natural Resource Mitigation Fund in the amount of \$77,535.92.

Please find the ILF Project Worksheet attached.

Under "Description" on the invoice, please include the following information:

Natural Resource Mitigation Fee (ILF)
Downeast Rail Trail - Ellsworth
MaineDOT PIN 9636.00

DEP PBR # 49618
US Army Corps Permit # NAE-2010-00482

Please contact me with any questions regarding this request and/or the project. Thanks.

Deane

*Deane C. Van Dusen, Manager
Field Services & Mitigation Division*

*Maine Department of Transportation
Environmental Office
State House Station 16
Augusta, Maine 04333
207-592-3198
207-624-3101 (fax)*

7/21/2010

JID 25415

RECEIVED
DEC 28 2010

INVOICE

Remit to:

DEPT ENVIRONMENTAL PROTECTION
NATURAL RESOURCES SERVICE CTR
ATTN - MEAGHAN FOSTER
155 STATE HOUSE STATION
AUGUSTA Maine 04333-0155

MAINE DEPT OF TRANSPORTATION - ENVIRONMENTAL OFFICE		
06AFIN6046	710729001	07-29-10
	06A:FIN1	08-29-10
	\$494,786.20	

Bill to:

MAINE DEPT OF TRANSPORTATION - ENVIRONMENTAL
OFFICE
ATTN: DEANE VANDUSEN
SHS# 16, CHILD STREET
AUGUSTA Maine 04333-0016

Payment Method: Check ☐ Money Order ☐

☐ Please check if address has changed. Write correct
address on back of stub and attach with payment

Please write Invoice No on front of
check or Money Order. DO NOT MAIL CASH

Please detach the above stub and return with your remittance payable to PAY BY PV TYPE 9



ENVIRONMENTAL PROTECTION

06AFIN6046	07-29-10	08-29-10
MAINE DEPT OF TRANSPORTATION - ENVIRONMENTAL OFFICE	710729001	07-29-10

Invoice Charges

Ref Line No.	DESCRIPTION	Date of Service	No. of Units	Unit of Measure	Unit Price	Charges/ Credit
1	NATURAL RESOURCE MITIGATION FEE (ILF); DOWNEAST RAIL TRAIL - ELLSWORTH, MEDOT PIN 9636.00	07-29-10				\$77,531.92
2	NATURAL RESOURCE MITIGATION FEE (ILF); ROUTE 32 -NAPLES, MEDOT PIN 11060.00	07-29-10				\$51,697.14
3	NATURAL RESOURCE MITIGATION FEE (ILF); ROUTE 117 - NORWAY, MEDOT PIN 10020.00	07-29-10				\$222,908.22
4	NATURAL RESOURCE MITIGATION FEE (ILF); ROUTE 17 -TWP D, MEDOT PIN 8670.10	07-29-10				\$142,644.92
					TOTAL INVOICE Charges	\$494,786.20

Other Charges

DESCRIPTION	Date	Charges
	07-29-10	

Credit Payments Applied		\$0.00
Total Amount Due By	08-29-10	\$494,786.20

9636.00

7095

27

087

Instructions

Receivable History and Reference Query

[Menu](#) [Quick Search](#)

[Search](#) [First](#) [Prev](#) [Next](#) [Last](#)

Department :

Total Billed : \$494,786.20

Unit :

Total Liquidated : \$494,786.20

Doc Dept :

Total to Collections : \$0.00

Total Written Off : \$0.00

Document ID :

Total Outstanding : \$0.00

Closed Date : 01/04/2011

Customer :

Name :

Accepted	Reference Document	Billed	Liquidated	Sent to Collection	Written Off
✓ 07/29/2010	RE 06A 710729001 1	\$494,786.20	\$0.00	\$0.00	\$0.00
08/05/2010	IET 17A 11DT0088927 1	\$0.00	\$142,644.92	\$0.00	\$0.00
09/10/2010	IET 17A 11DT0098131 1	\$0.00	\$51,697.14	\$0.00	\$0.00
11/24/2010	IET 17A 11DT0118656 1	\$0.00	\$222,908.22	\$0.00	\$0.00
01/04/2011	IET 17A 11DT0018929 1	\$0.00	\$77,535.92	\$0.00	\$0.00

[First](#) [Prev](#) [Next](#) [Last](#)

[Receivable Search](#)